

REMARKS

Status of the claims

Claims 1-2, 4-7, 18, and 20-21 are currently under consideration in this application.

Claim 1 is amended to recite that the arrestin chimera comprises a “naturally occurring” beta-arrestin-2 and a “naturally occurring” ubiquitin moiety. This amendment adds no new matter to the claims, as is evident by the Examiner’s own statements in the Final Office Action dated October 28, 2008 and in the Advisory Action dated March 10, 2009 that such a chimera is enabled by the specification (see for example page 2, third paragraph of the Advisory Action). As such, this amendment adds no new matter.

Claims 2 and 4-7 are amended to correct antecedent basis for the recited terms. As such, these amendments add no new matter.

Applicants respectfully request entry of the claims as amended.

Claim Rejection under 35 USC §112, first paragraph

Claims 1, 2, 4-7, 18 and 20-22 are rejected under 35 U.S.C. 112, first paragraph for allegedly failing to enable the full scope of the claims. Applicants respectfully traverse this rejection for all reasons already of record.

Solely to expedite prosecution of this application and without conceding to the propriety of the rejection, Applicants have amended the claims to recite that the arrestin chimera comprises a “naturally occurring beta-arrestin-2” and a “naturally occurring ubiquitin moiety”. The Examiner has stated in the Final Office Action dated October 28, 2008 and in the Advisory Action dated March 10, 2009 that such a chimera is enabled by the specification. As this rejection is the sole rejection remaining in this case, Applicants respectfully suggest that in light of the present amendments this rejection may be withdrawn and this application deemed in a condition for allowance.

Applicants have not dedicated or abandoned any unclaimed subject matter and have not acquiesced to any rejections made by the Patent Office. Applicants reserve the right to pursue prosecution of any presently excluded claim embodiments in future continuation and/or divisional applications.

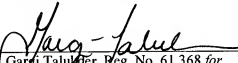
CONCLUSION

Applicants respectfully submit that the claims are now in condition for allowance and early notification to that effect is respectfully requested. If the Examiner feels there are further unresolved issues, the Examiner is respectfully requested to phone the undersigned at (415) 442-1266 (direct line).

Respectfully submitted,
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